

REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

Claims 3-4, 6-8, 10, and 73-75 are rejected under 35 U.S.C. 102(e) as being anticipated by Deter (U.S. Pat. No. 6,428,169). Deter teaches an optical device comprising a first reflective layer 7, a second reflective layer 11, substantially continuous layers of dielectric material 14, each layer consisting of alternating high and low indices of refraction so that the optical output of the device includes substantially more light in wavelengths in a plurality of narrow wavelength bands (figs. 3) than light not in the plurality of wavelength bands. Regarding claim 6, Deter could also be interpreted where the 11 is the first reflective layer and 7 is the second reflective layer. The applicant is directed to further review col. 3, lines 50-60 and col. 8, lines 20-24.

The applicant requests reconsideration and withdrawal of the rejection of claims 3 – 4, 6 – 8, 10, and 73 – 75 as anticipated by Deter.

Regarding claim 3, in the construction proposed by the examiner, element 11 corresponds to the second reflective layer and element 14 corresponds to the substantially continuous layers of dielectric material.

Deter states at column 9, lines 33 – 34, “The optical filter 11 is a compound filter 17 and is formed of a layer 14” (emphasis added) and at column 9, lines 45 – 51, “FIG. 6 shows a projection screen 3 with a substrate 15 carrying the optical filter 11. The substrate 15 carries an interference filter 16 which is formed of a plurality of layers 14a, 14b, 14c” (emphasis added). In Figs. 6 and 7, Deter shows layers 14a, 14b, and 14c as components of optical filter 11 or interference filter 16 or both. Deter does not teach or suggest any configuration in which layers 14, 14a, 14b, or 14c are not components of optical filter 11 or interference filter 16 or both. Layers such as 14, 14a, 14b, and 14c that form or are components of the second reflective layer are not disposed between the second reflective layer and the first reflective layer.

Deter therefore does not teach or suggest substantially continuous layers of dielectric material that are disposed between a first reflective layer and a second reflective layer.

Deter states beginning at column 7, line 65 that "it is essential that the overwhelming proportion of ambient light 9 does not even reach the backscattering projection surface 7 ..." In the construction proposed by the examiner, then, the overwhelming proportion of the ambient light is reflected by the optical filter 11. As a result, the optical output of the image representation of Deter has substantially the same spectral composition as the optical input.

Deter therefore does not teach or suggest an optical device that is constructed and arranged so that an optical output of an optical device includes substantially more light with wavelengths in a plurality of narrow wavelength bands than light with wavelengths not in the plurality of wavelength bands.

Claims 4, 6 – 8, and 10 are patentable for at least the same reasons as claim 3.

Regarding claim 73, at column 9, lines 33 – 34, Deter states "The optical filter 11 is a compound filter 17 and is formed of a layer 14" and at column 9, lines 45 – 51, "FIG. 6 shows a projection screen 3 with a substrate 15 carrying the optical filter 11. The substrate 15 carries an interference filter 16 which is formed of a plurality of layers 14a, 14b, 14c." In Figs. 6 and 7, Deter shows layers 14a, 14b, and 14c as components of optical filter 11 or interference filter 16 or both. Deter does not teach or suggest any configuration in which layers 14, 14a, 14b, or 14c are not components of optical filter 11 or interference filter 16 or both. Layers such as 14, 14a, 14b, and 14c that form or are components of the second reflective layer are not disposed between the second reflective layer and the first reflective layer.

Deter therefore does not teach or suggest reflecting light by a first and second reflective layer constructed and arranged so that consecutive layers of higher and lower index of refraction materials are between the first and the second reflective layer.

Deter states beginning at column 7, line 65 that "it is essential that the overwhelming proportion of ambient light 9 does not even reach the backscattering projection surface 7 ..." In the construction proposed by the examiner, then, the overwhelming proportion of the ambient light is reflected by the optical filter 11, and all spectral band are reflected substantially equally.

Deter therefore does not teach or suggest preferentially reflecting portions of the light that are within at least two narrow spectral bands relative to reflection of light that is not within the narrow spectral bands.

Claims 74 and 75 are patentable for at least the same reasons as claim 73.

Claims 5, 9, 45-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deter (U.S. Pat. No. 6,428,169) in view of Yamada (U.S. Pat. No. 5,148,309). Deter teaches the salient features of the claimed invention except for an aluminum reflective layer and polarization. Yamada teaches in col. 4, line 33 that aluminum is known as the reflection material in reflective projection screens. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the aluminum taught by Yamada for the purpose of utilizing readily available materials. The applicant should note that it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416. Yamada teaches in the abstract that it was known to utilize a polarizing layer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Yamada for the purpose of expansive diffusion without deterioration of effective function.

Claims 5 and 9 are patentable for at least the same reasons as claim 3.

Claims 45 -- 49 have been canceled without prejudice or disclaimer.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Deter (U.S. Pat. No. 6,428,169) in view of Portner (U.S. Pat. No. 3,942,869). Deter teaches the salient features of the claimed invention except for the size greater than 7 inches. Portner teaches in col. 1, line 45 that it was known to provide a screen greater than 7 inches. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Portner for the purpose of large panoramic viewing.

Claim 11 is patentable for at least the same reasons as claim 3.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim

does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Please apply any other charges or credits to deposit account 06-1050, order 02103-603001.

Respectfully submitted,

Date: _____

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